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TERMINAL DISCLAIMER TO OBLIGATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT

Docket Number (Optional)

532572000104

In re Application of: Casey D. MORROW, et al.

Application No.: 09/756,551

Filed: January 8, 2001

For: ENCAPSIDATED RECOMBINANT POLIOVIRUS NUCLEIC ACID AND METHODS OF MAKING
AND USING SAME

The owner*, THE UAB RESEARCH FOUNDATION, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,063,384. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney or agent of record.

01/02/2004 B3AYASI1 00000137 031952 09756551
03 FC:1814 110.00 DA

Kate H. Murashige

Signature

12/29/03

Date

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Typed or printed name

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Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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